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8 *Sheriff Joseph Lombardo,*
Officer D. Coyne and Officer G. Anton

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 JAWANN BOWIE,

12 Plaintiff,

13 vs.

14 OFFICER D. COYNE, in his official capacity
as Las Vegas Metropolitan Peace Officer;
15 OFFICER G. ANTON, in his official capacity
as Las Vegas Metropolitan Peace Officer;
16 SHERIFF JOE LOMBARDO, in his official
capacity as Las Vegas Metropolitan Police
17 Sheriff; CITY OF CLARK COUNTY
NEVADA,

18 Defendants.

CASE NO.: 2:18-cv-00686-GMN-PAL

**STIPULATION TO EXTEND
DISCOVERY**

(First Request)

20 Jawann Bowie ("Plaintiff"), Officer Daniel Coyne, Officer George Anton and Sheriff
21 Joseph Lombardo ("LVMPD Defendants") and Clark County ("County") stipulate and request to
22 extend the discovery cut-off date for ninety (90) days to allow the parties additional time to
23 conduct discovery. The current cut-off date is November 14, 2018 but the parties agree it should
24

1 be continued until **February 12, 2019**. The parties respectfully request the Court enter an order
 2 to extend discovery to provide the parties adequate time to conduct discovery in this case.

3 **I. DISCOVERY COMPLETED TO DATE**

4 LVMPD Defendants have provided their Initial Rule 26 Disclosures to Plaintiff and the
 5 County. LVMPD Defendants served their initial written discovery requests (Interrogatories,
 6 Requests for Production of Documents and Requests for Admissions) on the same date the
 7 parties filed this Stipulation.

8 **II. DISCOVERY YET TO BE COMPLETED**

9 Little discovery in this matter has been completed. Plaintiff will respond to LVMPD
 10 Defendants' initial written discovery requests. Plaintiff and the County will provide the parties
 11 with their Initial Rule 26 Disclosures and will serve written discovery as well.

12 LVMPD Defendants will serve various third-party subpoenas upon receipt of Plaintiff's
 13 discovery responses. The parties will conduct the depositions of the individual parties, Rule
 14 30(b)(6) witnesses and other third-party witnesses as necessary. The parties will retain and
 15 timely disclose expert and any necessary rebuttal expert reports.

16 **III. REASONS WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

17 As this Court is aware, Plaintiff is representing himself in Proper Person. Plaintiff filed
 18 suit in the Eighth Judicial District Court which the LVMPD Defendants removed. In responding
 19 to the Complaint, both LVMPD Defendants and the County filed Motions to Dismiss. [ECF
 20 Nos. 6 and 12]. The Motions to Dismiss are fully briefed and pending before the Court.

21 Because the parties did not submit a Proposed Discovery Plan and Scheduling Order, this
 22 Court issued a Scheduling Order on August 2, 2018. [ECF No. 20]. The Scheduling Order
 23 required the parties to hold a Rule 26(f) Conference by August 15, 2018, which the parties did.
 24 [ECF No. 22]. LVMPD Defendants served their Initial Rule 26 Disclosures and initial written

1 discovery requests. However, the Scheduling Order provides that initial expert reports are to be
2 disclosed by September 14, 2018. In short, the parties have not had the opportunity to conduct
3 discovery to provide to any expert at this point.

4 As stated above, Plaintiff is representing himself in Proper Person; it is anticipated that
5 there may be delays. Moreover, Plaintiff and many of the third-party witnesses to the incident
6 described in the Complaint reside outside the state of Nevada and the medical treatment Plaintiff
7 has received for the injuries he alleges in the Complaint has been in another State. As such, it
8 will take additional time and effort to obtain information and documents in discovery. For these
9 reasons, the parties ask for more time to complete discovery.

10 **IV. PROPOSED EXTENDED DEADLINES**

11 The parties respectfully request this Court enter an order as follows:

12 **(A) Discovery Deadline.**

13 The current discovery cut-off date of November 14, 2018, should be extended for a
14 period of ninety (90) days, up to and including **February 12, 2019**.

15 **(B) Experts and Rebuttal Experts.**

16 The parties, and each of them, shall disclose their experts to each other at least sixty (60)
17 days before the discovery cut-off date, or by **December 14, 2018**. The parties, and each of them,
18 shall disclose rebuttal experts at least thirty (30) days after the initial date for disclosure of
19 experts, or by **January 14, 2019**.

20 **(C) Dispositive Motions.**

21 All pretrial motions, including but not limited to, discovery motions, motions to dismiss,
22 motions for summary judgment, and all other dispositive motions shall be filed and served no
23 later than thirty (30) days after the close of discovery, or by **March 14, 2019**.

1 **(D) Motions in Limine/*Daubert* Motions.**

2 Under LR 16-3(b), any motions in limine, including *Daubert* motions, shall be filed and
3 served 30 days prior to the commencement of Trial. Oppositions shall be filed and served and
4 the motion submitted for decision 14 days thereafter. Reply briefs will be allowed only with
5 leave of the Court.

6 **(E) Pretrial Order.**

7 Pursuant to LR 26(1)(e)(5), the Joint Pretrial Order shall be filed with this Court no later
8 than thirty (30) days after the date set for filing dispositive motions, or by **April 13, 2019**, unless
9 dispositive motions are filed, in which case the date for filing the Joint Pretrial Order shall be
10 suspended until 30 days after the decision on the dispositive motions or further order of this
11 Court. The disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections shall be included
12 in the final pretrial order.

13 **(F) Interim Status Report.**

14 In accordance with LR 26-3, not later than 60 days before the discovery cut-off, the
15 parties shall submit an interim status report stating the time they estimate will be required for
16 trial giving 3 alternative available trial dates, and stating whether in the opinion of counsel who
17 will try the case, trial will be eliminated or its length affected by substantive motions. The status
18 report shall be signed by counsel for each party or the party, if appearing in *pro se*. The parties
19 shall file the interim status report by **December 14, 2018**.

20 **(G) Extensions or Modification of the Discovery Plan and Scheduling Order.**

21 In accordance with LR 26-4, applications to extend any date set by the discovery plan,
22 scheduling order, or other order must, in addition to satisfying the requirements of LR 6-1, be
23 supported by a showing of good cause for the extension. All motions or stipulations to extend a
24 deadline set forth in a discovery plan shall be received by the Court not later than 21 days before

1 the expiration of the subject deadline. A request made after the expiration of the subject deadline
 2 shall not be granted unless the movant demonstrates that the failure to set was the result of
 3 excusable neglect. Any motion or stipulation to extend a deadline or to reopen discovery shall
 4 include:

- 5 (a) A statement specifying the discovery completed;
- 6 (b) A specific description of the discovery that remains to be completed;
- 7 (c) The reasons why the deadline was not satisfied or the remaining discovery was
 8 not completed within the time limits set by the discovery plan; and
- 9 (d) A proposed schedule for completing all discovery.

10 This request for an extension is made in good faith, jointly by the parties hereto, to allow
 11 the parties adequate time for discovery. This request is timely. Trial is not yet set in this matter
 12 dispositive motions have not yet been filed. Accordingly, this extension will not delay this case.
 13 Moreover, since this request is a joint request, neither party will be prejudiced. The extension
 14 will allow the parties the necessary time to prosecute this case.

15 DATED this 21st day of August, 2018

17 By: /s/ Lyssa S. Anderson
 18 LYSSA S. ANDERSON
 19 (Nevada Bar No. 5781)
 20 RYAN W. DANIELS
 (Nevada Bar No. 13094)
 1980 Festival Plaza Dr.
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By: /s/ Jawann Bowie
 JAWANN BOWIE
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 Inglewood, CA, 90301

Plaintiff in Proper Person


21 ***Attorneys for Defendants***
 22 ***Sheriff Joseph Lombardo, Officer D.***
 23 ***Coyne and Officer G. Anton***

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By: /s/ Jason B. Patchett
JASON B. PATCHETT
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Attorney for Clark County

IT IS SO ORDERED: August 23, 2018


UNITED STATES MAGISTRATE JUDGE
CASE NO.: 2:18-cv-00686-GMN-PAL